

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BOROUGH OF EDGEWATER,

Plaintiff,

v.

WATERSIDE CONSTRUCTION, LLC; 38
COAH , LLC; DAIBES BROTHERS, INC.;
NORTH RIVER MEWS ASSOCIATES, LLC;
FRED A. DAIBES; TERMS
ENVIRONMENTAL SERVICES, INC.;
ALCOA INC.; ALCOA DOMESTIC, LLC, as
successor in interest to A.P. NEW JERSEY,
INC.; HUDSON SPA, LLC; JOHN DOES 1-
100; ABC CORPORATIONS 1-100,

Defendants

and

WATERSIDE CONSTRUCTION, LLC; 38
COAH LLC; DAIBES BROTHERS, INC.;
NORTH RIVER MEWS ASSOCIATES, LLC;
FRED A. DAIBES,

Defendants/ Third-Party Plaintiffs

v.

NEGLIA ENGINEERING ASSOCIATES,

Third-Party Defendants,

and

ALCOA DOMESTIC, LLC as successor in
interest to A.P. NEW JERSEY, INC.,

Defendant/Third-Party Plaintiff,

v.

COUNTY OF BERGEN; RIVER ROAD
IMPROVEMENT PHASE II, INC.; HUDSON
SPA, LLC,

Third-Party Defendants.

Civil Action No. 14-5060

ORDER

John Michael Vazquez, U.S.D.J.

For the reasons set forth in the accompanying Opinion, and for good cause shown,

IT IS on this 17th day of August, 2021,

ORDERED that the motion filed by Defendants Arconic Inc. (f/k/a Alcoa Inc.) and Arconic Domestic, LLC (f/k/a Alcoa Domestic LLC, as successor in interest to A.P. New Jersey, Inc.) (collectively “Arconic”) for summary judgment (D.E. 345) is **GRANTED in part** and **DENIED in part**; and it is further

ORDERED that Arconic’s motion (D.E. 345) is **GRANTED** as to counts three and four of the Crossclaims by Fred Daibes; North River Mews Associates, LLC (“North River”); Waterside Construction, LLC; 38 COAH, LLC; and Daibes Brothers, Inc. (D.E. 24); and it is further


ORDERED that Arconic’s motion (D.E. 345) is otherwise **DENIED**; and it is further

ORDERED that Arconic’s motion for summary judgment (D.E. 351) is **GRANTED in part** and **DENIED in part**; and it is further

ORDERED that Arconic’s motion (D.E. 351) is **GRANTED** as to counts one and two of the Complaint by North River and 38 COAH, LLC (14-8129, D.E. 28); and it is further

ORDERED that Arconic’s motion (D.E. 351) is otherwise **DENIED**; and it is further

ORDERED that Arconic’s motion to strike (D.E. 403) is **DENIED**.


John Michael Vazquez, U.S.D.J.